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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,266	12/16/2004	David Keith Roberts	NL 020546	3560
24737 7590 08/10/2010 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER				
PERUNGAVOOR, VENKATANARAY				
ART UNIT		PAPER NUMBER		
2432				
MAIL DATE		DELIVERY MODE		
08/10/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/518,266

Applicant(s)

ROBERTS, DAVID KEITH

Examiner

Venkat Perungavoor

Art Unit

2432

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-7, 12, 14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-7, 12, 14-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

The indicated allowability of claims 1, 3-7, 12, 14-15 is withdrawn in view of the newly discovered reference(s) to US Patent 6442284 to Gustafson et al.(hereinafter Gustafson). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-7, 12, 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6442284 to Gustafson.

Regarding Claim 1, 11,12, Gustafson discloses dividing a whole image that contains at least one region of flat content into a plurality of regions. See Col 3 Ln 17-25; generating a signature including generating signature bits from each of the plurality of regions including the at least one region of flat content. See Col 7 Ln 24-29;

embedding of said signature without subdividing the signature by spreading the signature bits of said signature across at least a portion of the image which is larger, than one of the regions, such that the signature bits from all regions can be extracted even if the at least one region of flat content has been replaced by tampering whereby the image is protected from tampering in the at least one region of flat content. See Col 3 Ln 49-66.

Regarding Claim 3-7, Gustafson discloses the signature being embedded in multiple areas and spread throughout the image. See Col 3 Ln 49-67.

Regarding Claim 13, Gustafson discloses the many application where the embedding of signals is used. See Col 3 Ln 8-16.

Regarding Claim 14, 15, Gustafson discloses receiving at least one video image with a processor see Col 2 Ln 25-35;

with the processor, dividing the image into a plurality of regions including at least one region of flat content and a plurality of regions with non-flat content see Col 7 Ln 7-16;

with the processor, generating at least one bit of a signature from each of the regions including from the at least one region of flat content see Col 7 Ln 36-47;

with the processor, embedding the signature only in the plurality of regions with the non-flat content see Col 3 Ln 8-16; and

subsequently with the same or a different processor, extracting the signature bits from the plurality of regions with the non-flat content and, from the extracted bits, determining

if the at least one region of flat content has been subject to tampering see Col 3 Ln 49-66.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Pub 2001/00323315 to Overveld et al.

US Patent 6434701 to Kwan

US Patent 6222932 to Rao et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

/V. P./
Examiner, Art Unit 2432

/Gilberto Barron Jr./
Supervisory Patent Examiner, Art Unit 2432